



PATENT  
Serial No. 09/914,928  
Atty. Docket No.: 034299-346

JP  
JFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Loick Verger et al. CONFIRMATION NO.: 5963  
SERIAL NO.: 09/914,928  
FILING DATE: 09/06/2001  
TITLE: X-RAY IMAGING DEVICE AND METHOD FOR MAKING SAME  
EXAMINER: Sung, Christine  
ART UNIT: 2884

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on the date printed below:

Date: 12/10/2007

Name: \_\_\_\_\_

Julie Arango  
Julie Arango

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION RESPONSIVE TO NOTICE OF NON-COMPLIANT APPEAL**  
**BRIEF**

Dear Sir:

The Notice of Non-Compliant Appeal Brief mailed November 8, 2007 alleges that the Appeal Brief failed to contain a concise statement of each ground of rejection. Specifically, it was alleged that the 35 U.S.C. §112, second paragraph rejection made in the Final Office Action mailed April 17, 2007, was not addressed in the Appeal Brief.

Appellant respectfully traverses, on the grounds that the 35 U.S.C. §112, second paragraph rejection has been overcome by way of the After Final Amendment that has been ENTERED, as per the Advisory Action mailed September 4, 2007. Accordingly, the 35 U.S.C. §112, second paragraph rejection is moot and is not under appeal.

Early favorable consideration is earnestly solicited.

Please charge any additional required fee or credit any overpayment not otherwise paid  
or credited to our deposit account No. 50-1698.

Respectfully submitted,

THELEN REID BROWN RAYSMAN & STEINER LLP

Dated: 12/10/2007



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